

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS**

NATIONAL ASSOCIATION OF  
MANUFACTURERS and NATURAL  
GAS SERVICES GROUP, INC.,

Plaintiffs,

v.

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION and GARY  
GENSLER, in his official capacity as Chair  
of the SEC,

Defendants.

No. 7:22-cv-163-DC

**PLAINTIFFS' NOTICE OF APPEAL**

Pursuant to Fed. R. App. P. 3(a), (c), Plaintiffs the National Association of Manufacturers and Natural Gas Services Group, Inc., hereby appeal to the United States Court of Appeals for the Fifth Circuit from the final judgment in this case dated December 5, 2022, and entered on the docket on December 6, 2022 (Docket No. 23). For avoidance of all doubt, the judgment appealed from includes the order dated December 4, 2022, and entered on the docket on December 5, 2022 (Docket No. 21), which granted summary judgment to Defendants on all claims.

Dated: December 6, 2022

Erica T. Klenicki (*pro hac vice*)  
NAM LEGAL CENTER  
733 10th Street NW, Suite 700  
Washington, DC 20001  
(202) 637-3000

*Counsel for the National Association of  
Manufacturers*

Respectfully submitted,

/s/ Paul W. Hughes

Paul W. Hughes (*pro hac vice*)  
Andrew A. Lyons-Berg (*pro hac vice*)  
McDERMOTT WILL & EMERY LLP  
500 North Capitol Street NW  
Washington, DC 20001  
(202) 756-8000  
phughes@mwe.com

Debbie E. Green (TBN 24059852)  
McDERMOTT WILL & EMERY LLP  
2501 North Harwood Street, Suite 1900  
Dallas, TX 75201  
(214) 295-8000  
dgreen@mwe.com

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that that on December 6, 2022, I filed the foregoing document via the Court's CM/ECF system, which effected service on all registered parties to this case.

Dated: December 6, 2022

/s/ Paul W. Hughes